

CALIFORNIA'S HIGH-SPEED RAIL SYSTEM

Terms & Conditions
Associated with
Performance for the RFP
for Right-of-Way Services
Consultants/Expert
Contractors
Board Meeting Agenda
Item #3



August 25, 2011

ROW Services RFP Background

- July 14, 2011 Board Meeting
 - Board authorized CEO to issue RFP(s), and conclude contracts for Right-of-Way Services not to exceed \$40 million.
 - Board requested staff clarify methods utilized to ensure contractors' performance and accountability.

ROW Services RFP Performance/Accountability Methods

- Implementation of Proven QA/QC Internal Processes by Contractors
 - Intermittent Management Reviews by Qualified Authority Staff
- Weekly Progress Reports from Contractors
 - Including Earned Value Reporting
- Bi-Weekly Management Meetings
 - Including “Look-Ahead” Forecasting for Planning
 - Problem-Solving
- Invoice Retention of 10% Pending Work Task Order Milestone Delivery

ROW Services RFP Performance/Accountability Methods (con't)

- Contract Language – Invoice Retention
 - The Authority shall retain ten percent (10%) from each invoice.
 - The retained amount shall be held and released only upon approval that work has been satisfactorily completed and the task deliverable has been received and approved.
 - Major Task Deliverable Example: Right of Way Certification
 - Written statement summarizing all right of way related matters pertaining to construction.
 - Real property interests have been secured.
 - Acquisition and relocation assistance program conducted in accordance with all applicable laws and procedures.
 - Physical obstructions have been, or will be removed, relocated or protected.

ROW Services RFP Performance/Accountability Methods (con't)

- Contract Language – Termination
 - 5-Day Contract Termination
 - With Cause
 - Including Failure to Perform
 - Final Non-Performance Control
 - 30-Day Contract Termination
 - Without Cause
- Authority plans to award more than one contract.
 - Provides ability to adjust workload, if needed.

ROW Services RFP Recommendation

Recommendation (Resolution): That in accordance with the conditions of Resolution #HSR11-20, approved by the Board on July 14, 2011, the Board approves the methods of ensuring contractors' performance and accountability substantially as presented, and which will be included in the RFP for Right-of-Way services, and authorizes the CEO to issue one or more RFPs and conclude contracts for Right-of-Way services in an amount not to exceed \$40 million.

Thank You